

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

SHEILA MORGAN

v.

ISS FACILITY SERVICES, INC.,  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES, LLC.

**Civil Action No.**

**NOTICE OF REMOVAL**

Defendants, The Buccini/Pollin Group, Inc. and BPG Real Estate Services, LLC, by and through their attorneys, Campbell, Lipski & Dochney, hereby remove this action pursuant to 28 U.S.C. §1441(b) based upon jurisdiction pursuant to 28 USCA §1332 and in support thereof avers the following:

1. On November 5, 2014, Plaintiff, Sheila Morgan, commenced an action in the Court of Common Pleas of Philadelphia County, Pennsylvania by way of Writ of Summons docketed at November Term 2014, No. 00454. A true and correct copy of the Writ of Summons is attached hereto as Exhibit "A".

2. On November 12, 2014, Defendant, The Buccini/Pollin Group, Inc., was served via certified mail, return receipt requested, with the Writ of Summons at its address of 322 A Street, Suite 300, Wilmington, DE 19801.

3. On November 12, 2014, Defendant, BPG Real Estate Services, LLC, was served via certified mail, return receipt requested, with the Writ of Summons at its address of 322 A Street, Suite 300, Wilmington, DE 19801.

4. On November 12, 2014, Defendant, ISS Facility Services, Inc., was served via certified mail, return, receipt, requested with the Writ of Summons at its address of 1019 Central Parkway North, Suite 100, San Antonio, TX 78232.

5. Plaintiff is a citizen and resident of the state of Pennsylvania, residing at 1115 Avenue of the States, Apartment 409, Chester, Pennsylvania. (Exhibit "A").

6. Defendants, The Buccini/Pollin Group and BPG Real Estate Services, LLC, are Delaware corporations licensed and existing at their principal place of business located at 322 A Street, Suite 300, Wilmington, Delaware.

7. Defendant, ISS Facility Services, Inc., is a Texas Corporation licensed and existing at its principal place of business located at 1019 Central Parkway North, Suite 100, San Antonio, Texas.

8. Plaintiff seeks compensation for personal injuries allegedly resulting from an incident that allegedly occurred on/about January 10, 2013 when Plaintiff Sheila Morgan while working as a security guard at or about the premises of the Wharf at Riverton, 2501 Seaport Drive, Chester, PA, slipped and fell.

9. Plaintiffs' Writ of Summons claims that compensatory damages will be in excess of fifty thousand dollars (\$50,000.00). (Exhibit "A" – without admission thereto).

10. Based upon the averments in Plaintiffs' Writ and accompanying documents, the damages recoverable exceed the sum of \$75,000.00 exclusive of interests and costs.

11. This matter is removable pursuant to 28 U.S.C.A. §1441(b) as there is complete diversity of citizenship between the parties. Plaintiff is a citizen of the state of Pennsylvania. Defendants, Buccini/Pollin Group, Inc. and BPG Real Estate Services, LLC are Delaware


corporations licensed and existing at their principal place of business in the State of Delaware and, Defendant, ISS Facility Services, Inc. is a Texas corporation licensed and existing at its principal place of business in the State of Texas.

12. The removal of this matter from state to federal court is proper under 28 U.S.C.A. §1446 where the initial filing sets forth the claim for relief upon which the action is based and where the Writ of Summons was filed and served upon Defendants less than thirty (30) days prior to the date this Notice of Removal was filed.

13. Counsel for Defendant, ISS Facility Services, Inc. has no objection to the removal of this matter to Federal Court (See attached affidavit of consent) (Exhibit B).

14. The named Defendants Buccini/Pollin Group and BPG Real Estate Services, LLC are represented by the undersigned. The named Defendant, ISS Facility Services, Inc. is represented by Mark T. Riley, Esquire of Marshall, Dennehey, Warner, Coleman and Goggin.

WHEREFORE, notice is hereby given of removal of the above matter from the Philadelphia County Court of Common Pleas to the United States District Court for the Eastern District of Pennsylvania.

  
ROBERT J. SIEGEL, ESQUIRE  
Attorney I.D. 46717  
CAMPBELL, LIPSKI & DOCHNEY  
2000 Market Street – Suite 1100  
Philadelphia, PA 19103  
(215) 861-6700  
Attorney for Defendants, The Buccini/Pollin Group, Inc.  
and BPG Real Estate Services, LLC

Dated: Dec 11, 2014

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

SHEILA MORGAN

v.

ISS FACILITY SERVICES, INC.,  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES, LLC.

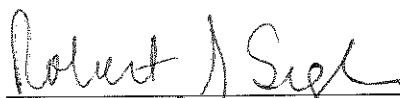
Civil Action No.

**CERTIFICATE OF SERVICE**

I, Robert J. Siegel, Esquire, hereby certify that a true and correct copy of the within Notice of Removal of Defendants The Buccini/Pollin Group, Inc. and BPG Real Estate Services, LLC, was served on all counsel of record at the below addresses on December 11, 2014 via facsimile:


Jay Lawrence Fulmer, Esquire  
Law Offices of Jay Lawrence Fulmer  
1628 JFK Blvd., Suite 1000  
8 Penn Center  
Philadelphia, PA 19103-2125

Mark T. Reilly, Esquire  
Marshall Dennehey  
620 Freedom Business Center, Suite 300  
King of Prussia, PA 19406

  
Robert J. Siegel, Esquire

**VERIFICATION**

Robert J. Siegel, Esquire, hereby states that he is the attorney of record Defendants, The Buccini/Pollin Group, Inc. and BPG Real Estate Services, LLC, in this action and verifies that statements made in the foregoing Notice of Removal are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

  
Robert J. Siegel, Esquire

**EXHIBIT 'A'**

# Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

NOVEMBER 2014

000454

Case Number 14-1100-282

PLAINTIFF'S NAME  
SHEILA MORGAN

DEFENDANT'S NAME  
ISS FACILITY SERVICES, INC.

PLAINTIFF'S ADDRESS  
1115 AVENUE OF THE STATES  
CHESTER PA 19013

DEFENDANT'S ADDRESS  
1019 CENTRAL PKWY NORTH STE 100  
SAN ANTONIO TX 78232

PLAINTIFF'S NAME

DEFENDANT'S NAME  
BUCCINI/POLLIN GROUP, INC.

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS  
322 A STREET SUITE 300  
WILMINGTON DE 19801

PLAINTIFF'S NAME

DEFENDANT'S NAME  
BPG REAL ESTATE SERVICES LLC

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS  
322 A STREET SUITE 300  
WILMINGTON DE 19801

TOTAL NUMBER OF PLAINTIFFS

1

TOTAL NUMBER OF DEFENDANTS

3

COMMENCEMENT OF ACTION

☐ Complaint

☐ Petition Action

☐ Notice of Appeal

☒ Writ of Summons

☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ \$50,000.00 or less

☒ More than \$50,000.00

COURT PROGRAMS

☐ Arbitration

☐ Jury

☒ Non-Jury

☐ Other:

☐ Mass Tort

☐ Savings Action

☐ Petition

☐ Commerce

☐ Minor Court Appeal

☐ Statutory Appeals

☐ Settlement

☐ Minors

☐ W/D/Survival

CASE TYPE AND CODE

2S - PREMISES LIABILITY, SLIP/FALL

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

FILED  
PROTHONOTARY

NOV 05 2014

D. SAVAGE

IS CASE SUBJECT TO  
COORDINATION ORDER?

YES

NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: SHEILA MORGAN

Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY

JAY LAWRENCE FULMER

ADDRESS

1628 JFK BLVD., SUITE 1000  
8 PENN CENTER  
PHILADELPHIA PA 19103-2125

PHONE NUMBER

(215) 568-7200

FAX NUMBER

(215) 751-9739

SUPREME COURT IDENTIFICATION NO.

24588

E-MAIL ADDRESS

jay.fulmer@gmail.com

SIGNATURE OF FILING ATTORNEY OR PARTY

JAY LAWRENCE FULMER

DATE SUBMITTED

Wednesday, November 05, 2014, 02:12 pm

FINAL COPY (Approved by the Prothonotary Clerk)

COPY



\*  
\*  
**MAJOR CASE / NON-JURY  
ASSESSMENT OF DAMAGES  
HEARING IS REQUIRED**

**Law Offices****JAY LAWRENCE FULMER**

e-mail: jay.fulmer@gmail.com

Identification No. 24588

1628 JFK Blvd., Suite 1000, 8 Penn Center  
Philadelphia, PA 19103-2125

215-568-7200 / Fax: 215-751-9739

**Attorney for Plaintiff,  
SHEILA MORGAN**

**SHEILA MORGAN**1115 AVENUE OF THE STATES  
APT. 409  
CHESTER, PA 19013

**COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY**

**vs.**

\_\_\_\_\_ **TERM, 2014**

**ISS FACILITY SERVICES, INC.**1019 CENTRAL PKWY NORTH  
STE 100  
SAN ANTONIO TX 78232-5027

**NO.** \_\_\_\_\_

**and**✓ **THE BUCCINI/POLLIN GROUP, INC.**322 A STREET  
SUITE 300  
WILMINGTON, DE 19801**and****BPG REAL ESTATE SERVICES LLC**322 A STREET  
SUITE 300  
WILMINGTON, DE 19801



**Praecipe to Issue**  
**Writ of Summons in Civil Action**

	PERSONAL INJURY	
	CODE 2S -- PREMISES LIABILITY	

**TO THE PROTHONOTARY / OFFICE OF JUDICIAL RECORDS:**

Kindly issue Writ of Summons - Civil Action to:

**ISS FACILITY SERVICES, INC.**

**THE BUCCINI/POLLIN GROUP, INC.**

**BPG REAL ESTATE SERVICES LLC**

the Defendant(s) in the above captioned matter.

*Respectfully submitted,*

*I hereby certify pursuant to Pa.R.C.P. 205.4 that a  
hard copy hereof was properly signed and, where  
applicable, verified. /s/ JLF*

**JAY LAWRENCE FULMER, ESQUIRE**  
**ATTORNEY FOR PLAINTIFF,**  
**SHEILA MORGAN**

**DATE: NOVEMBER 5, 2014**

CP-97

**Commonwealth of Pennsylvania**  
CITY AND COUNTY OF PHILADELPHIA

SUMMONS  
CITACION

COURT OF COMMON PLEAS

Filed and Attested by  
PROTHONOTARY  
05 NOV 2014 02:12 pm  
D. SAVAGE

**SHEILA MORGAN**

No. \_\_\_\_\_

vs.

**ISS FACILITY SERVICES, INC., and  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES LLC**

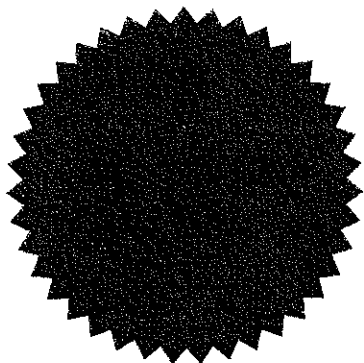
To<sup>(1)</sup>

**ISS FACILITY SERVICES, INC., and  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES LLC**

You are notified that the Plaintiff<sup>(2)</sup>  
*Usted esta avisado que el demandante<sup>(2)</sup>*

**SHEILA MORGAN**

Has (have) commenced an action against you.  
*Ha (han) iniciado una accion en contra suya.*

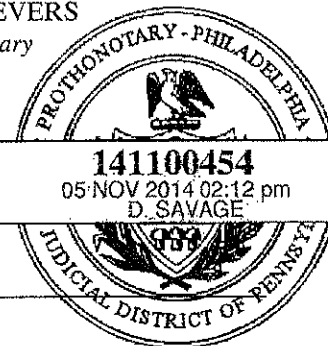


JOSEPH H. EVERS  
Prothonotary

By \_\_\_\_\_

Date \_\_\_\_\_

NOVEMBER 5, 2014



<sup>(1)</sup> Name(s) of Defendant(s)

<sup>(2)</sup> Name(s) of Plaintiff(s)

**COURT OF COMMON PLEAS**

\_\_\_\_ Term, 20 14 No. \_\_\_\_\_

**SHEILA MORGAN**

**VS.**

**ISS FACILITY SERVICES, INC., and  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES LLC**

**SUMMONS**

## **EXHIBIT 'B'**

26/2834594.v1 30008-857

MARSHALL, DENNEHEY, WARNER,

COLEMAN & GOGGIN

BY: Mark T. Riley, Esquire

Identification No.: 49427

620 Freedom Business Center, Suite 300

King of Prussia, PA 19406

(610) 354-8250

(610) 354-8299 - fax

mtriley@mdwgc.com

Attorneys for Defendant ISS Facilities Services, Inc.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PA  
CIVIL ACTION - LAW

SHEILA MORGAN

v.

NOVEMBER TERM, 2014

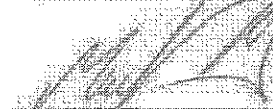
ISS FACILITY SERVICES, INC. and  
THE BUCCINI/POLLIN GROUP, INC. and  
BPG REAL ESTATE SERVICES LLC

NO. 454

AFFIDAVIT OF CONSENT

I, MARK T. RILEY, ESQUIRE, am counsel for Defendant ISS Facility Services, Inc. in the above matter. I have reviewed the Notice of Removal of Co-Defendant, the Buccino/Pollin Group, Inc. and BPG Real Estate Services, LLC. I have no objection to the removal of this matter to Federal Court.

MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN



MARK T. RILEY, ESQUIRE  
Attorney for Defendant

Date: